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HUSBAND AND WIFE—WIFE'S SERVICES—RIGHT OF HUSBAND TO RECOVER.—Plaintiff sued to recover damages by reason of an injury to his son, a minor, occasioned by defendant's negligence. In estimating the damages, the jury awarded a sum for the plaintiff's wife's services in nursing the injured son. *Held*, plaintiff is entitled to a recovery for the services of his wife in nursing the minor son. (*WILLIAMS*, J., dissenting). *Gorman v. New York, C. & St. L. R. Co.* (1908), — N. Y. —, 113 N. Y. Supp. 219.

The decision in this case seems to be in accord with the weight of authority. Few decisions, however, are reported upon the precise point involved. To the same effect is *Schmitz v. St. Louis, Iron Mountain & S. R. Co.*, 46 Mo. App. 380; *Martin v. Wood*, 23 N. Y. St. R. 853, 5 N. Y. Supp. 274, affirming 18 N. Y. St. R. 274; 1 Sil. S. C. 212. *Joyce, ON DAMAGES*, Vol. 1, § 305. The father is entitled to recover the value of his own services necessarily rendered in case of the infant's illness. *Connell v. Putnam*, 58 N. H. 535; *Barnes v. Keene*, 132 N. Y. 13, 29 N. E. 1090. The court observes in the principal case that there would seem to be equal reason in support of plaintiff's right to recover for like services of his wife, he being personally entitled to such services to the same extent as he is to his own. That a husband is not entitled to such services is the holding in the case of *Goodhart v. The Pennsylvania R. R. Co.*, 177 Pa. 1, 35 Atl. 191, 55 Am. St. Rep. 705. This case was followed in the later case of *Woeckner v. Erie Electric Motor Co.*, 182 Pa. 182, 37 Atl. 936.

INJUNCTION—VENDEE'S FRAUD VITIATES RIGHT TO USE PATENTED MACHINE.—Complainants used a patented machine to manufacture crank-shafts. The defendant company was organized by two of complainants' employes and a third person. Complainants discharged the two employes, retaining the foreman until the end of the month. Said foreman later had charge of the sale of some junk. The dismembered parts of one of the patented machines were sold with the junk, without authority from complainants. Defendant purchased the parts from the junk-man and is now intending to manufacture crank-shafts with the machine. Complainants ask the court to enjoin the use of the crank-shaft machine. The defense is that it would be inequitable not to permit the use of the patented machine after it had been sold. *Held*, that an injunction issue. *Tindel-Morris Co. v. Chester Forging & Engineering Co.* (1908), — C. C., E. D., Pa. —, 163 Fed. 304.

The reason for this decision was that fraud in securing the machine would prevent the defense that the sale of the machine carried the right to manufacture crank-shafts with it. There seems to be no authority exactly in point. The decision is, however, in accord with the equitable maxim, "He who comes into equity must come with clean hands." No defense should be allowed which would in effect countenance the fraud of the defendant. The court indicates that an injunction would have issued regardless of fraud, on the ground that the sale of the dismembered parts of a machine as junk was not a sale of the machine and did not carry with it the right to use the machine. The following authorities support this point: *Wortendyke v.*